G. R. S. IX-5]

Previous references.

Presidency B 1920. 25/2/43 (police)

P 39

File No 3 – 20

Serial Nos 42, 44, 52, 59, 70, 73

Later references.

Secs 426-22 Vol I.
17-28-1-5
27-25-1-8
Dep re 10 of 30-31
80-30-31-5

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Six

Part B for June 1922

SUBJECT.

Petition from the Hindu Residents of Kuala Valley Malur Taluk, Complaining against the construc by a certain Section of Mohammedan Community of a mosque in a locality inhabited mainly by Hindus

8(73)

To The I.G. of Police
The Dy. Commissioner of Kolar

No. J 55-17-1 of 27.5.22.

States that the recommendations of the D.C. are not suitable and that unless perfect agreement amongst the Mohammedans and proper safeguard against offending the Hindus, no new source of contentions between the two communities or between the factions of the Mohammedan Community is to be allowed to be brought into existence

GP 1887 GPB–15.6.26–2.7 Lakh

Received 12/6/22

G. R. S. III—1] 1920-21 23705

GENERAL AND REVENUE SECRETARIAT.

(Police

NOTES.

File No. 3 - 20

File Heading.

Petitions from Kolar Dist.

From

M. C. Ramanuja Iyengar Mantikillage Malur Taluk

No. Petn Dated 14/5/21 Received 16/5/21

Diary No. 2375	Enclos.	Spare Copies.	Serial No. 42

Brief Abstract of Letter.

States that - The Mussalmans are building a Mazid in that - front of the village where all the residents are Hindus except - 2 or 3 Mussalman houses and prays that the Mazid under Construction may ordered to be demolished as it - is a source of disturbance.

NOTES AND ORDERS.

And this petition on the same subject addressed to this office and in which the 2nd member has ordered for a report having called for in three places in this file D.O. 18/5

W/L forwarding the petition to the D.C. Kolar for a report in the matter & to be returned with his opinion & other orders

D.O. 18/5 SBR

J. Dixon 20/5

Notes—First Sheet.

2684/5

G. R. S. III-2]

General and Revenue Secret.

Re File No. 3 of 1920

Serial No.	
44	To The Deputy Commr Malabar. No G 22150 Dt. 21-5-1921 Forwards the above petition for favour of an early report.
	31 MAY 1921
	Secs H 30/5
52	From the same. No. H.C. 483 d/ 24th June 1921 Forwards copy of letter subd to the Nizami Secy in the matter stating that he has wired both to the S.D.O. & the Amildar to proceed to Nasik at once, issue injunction under Sec 144 Cr.P.C., regarding construction of Mosque, and that he has called for a report as to why action was not taken under Sec 144 Cr.P.C. Subd for perusal. Further report may perhaps be awaited.
	3) Subd for perusal. Further report may perhaps be awaited.
	30/6 4) Mayo call for further report. D/6 & Fair Dft. put up.
	5) No file No: to be sent to the member after times. D. M.

NOTE—Contn. sheet.

2(2)(4) 237 (3)

R. S. III-2.

General and Revenue Secretariat. | Political File No. 3 of 1920

Serial No.

Draft of fair Subd as proposed

4.

7) Memo D. M. 2/8

Item no 8 5 3 8 dt 2-8-1921

destroyed

8) Subd for perusal of D. M. 2/8

2nd Member

10/7 10.8.21

11/8/21

9) Remarks 25/8 D. M. 9/8

M.R. 9.11.21 1928

59 From the D. C. Kolaba.

No. R.H.C. 483/no-11 d/16.8.19

Forwards a copy of the detailed report submitted to the Nyazni Seey with his letter H.C. 483 of 1920-21 d/- 27. 7. 1921

10) From paras 12 & 13 of the report it is seen that a compromise has been effected between the two rival

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 3 of 1920

Serial No.	
	factions, necessary conditions having been stipulated.
	II) Subd for perusal & orders.
	III) The further report promised in paragraph 14 of the Dy. Commr's letter to the Mizrai Secretary may be awaited.
1576 24.8.21	2nd Member) 27/8/21
Reminder 31/8	IV) Further report not having been received, draft of a reminder is subd. Issue 25.10.21
destroyed.	Rem no 2163 dt 28.10.1921
	V) No reply has been received to the several reminders. It is possible that a reply has been received with Mizrai Dept, which may make reports to which if no reply has been received steps as what steps the position now stands. Mizrai Secto with compts 29/3

NOTE—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 3 of 1920.

D4184

(5

Serial No.

6) The promised reply has not yet been received in the Mysore Secretariat. The Dy: Comm[r] has been addressed again in the matter today.

7) Subd.

15/11/22 [illegible] 1574/22

Asst Secretary

8) Please issue a reminder again.

Asst Sec

Cag 1874

Rem No. J 4798 dated 19.4.22

Para 2 20/4

From

The Dy: Comm[r] Kolar Dist-

No R. H-C 483 Dy 24-4-1922

Forwards Copy of his 20-21 letter to the Mysore Sate Recommending that the unfinished house the Construction of which was stopped under Sec: 144 of C. P. Code & for which permission was granted to be built without minarettes to be used by the Moslem party - both - as a school & a prayer house.

9) Subd

The arguments & safe grounds

NOTE—Contn. sheet.

G. R. S. III-2]

739
~~4-1-8-4~~ 4073
4

General and Revenue Secretariat. Police File No. 3 of 1920

Serial No.

Guards put forward by Rai D.C. in support of his recommendation to allow Rai Moulvi's party to finish Rai building, Rai Construction of which was stopped are:-

(1) That Rai place has been used as a prayer house for Rai past many years & Rai Hindu residents who did not object to it then, may but now not do so hereafter.

2) The building will be used both as a school & a prayer-house

3) The Moulvi's party will give an undertaking not to interfere with Rai Hindu music or procession along Rai road.

4 The building will be surrounded with a wall (height not mentioned) & with no gate on Rai road side & may be erected both Mohatarfa so as not to include Rai building in Rai definition of a Mosque

NOTE—Contn. sheet.

739
1073

G. R. S. III-2]

General and Revenue Secretariat. | Polcel File No. 3 of 1920

Serial No.

Mosque (proper)

5) Doors & Windows to be provided to make the building habitable

2nd) Against these, it may be argued

(1) Not sure

(2) There seems to be very little difference between a Mosque and a ~~prayer~~ prayer house but in the matter of certain privileges

3+4 Whatever the guarantee given may be, the noise accompanying a procession &c during prayer is not a thing easily tolerated & has given trouble already.

5 These would add to the trouble.

21) Submitted for orders

22) Certain conditions have already been stipulated as noted in para 10 supra.

29/4 23) I fail to see the point of this agitation, and how

NOTE—Contn. sheet.

Serial No.

a mosque can be a source of disturbance. The agitators would like to have all mosques located without residential limits.

24) It is perhaps not understood that a mosque is not necessary for prayers which can be performed in any house. No safeguards are required for the exercise of ordinary rights of citizenship & for processions &c. It is only in the case of well-known mosques which have been granted the special privilege, that music & other noises are prohibited. In the case of no other mosques can such a privilege be claimed — particularly in the case of newly built ones. Any apprehended violence will be properly treated. But to ask for preventing the building of a mosque, on the ground that in future, some trouble may be apprehended, is simply to deny the very ordinary rights of citizens. The agitation is the result of recent troubles in that District; and is simply one to local Sectarian differences. No action seems called for.

NOTE—Contn. sheet.

Gen Secy)

Cag
7.5.20

G. R. S. III.-2]

General and Revenue Secretariat. | Police File No. 3 of 1920

Serial No.

25) Having had to try (in K.G.Z) one of the parties concerned for having tried to Complete the building without a proper licence I happen to know something of the facts of this Case. As stated by the D.C it seems that the true dispute was originally only between two factions amongst the local Musealmans though the Hindus have now come forward with a grievance of their own against the Completion of the building. Those who wish to Complete the building and convert it into a mosque are in a minority and as to grant a licence would be to go against the wishes of the Hindus and a Section of the Mahammadans the matter may be allowed to lie where it is for some time. If a Section of the Mahammadans are keen on having a separate mosque of their own ~~they~~ at once they may be asked to select a less objectionable site. If however it is thought that a licence may be granted then an undertaking should be taken that Hindu processions etc would not be objected to. In any Event the D.C's proposal

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

4344-y 4073-y

Power File No. 3 of 1920

(10)

Serial No.

DEWAN'S OFFICE
Recd. on MAY 20 1922
Reg. No. 6526

To print- the Construction of a "prayer house" which is not a "mosque" does not seem to be suitable. It is by leaving things indefinite that we will be preparing for future trouble.

6/5

Dewan)

2) The bylaw recommendation is not suitable. Under there is scope for permanent mosque. Musalman - Hindu relations are very delicate. Let the 2 Councils who the 2 communities of the N. Country - Can be allowed to be consulted into this.

Y

2) Draft 20/5

Stamps

2) Draft Sent Secy 23/5/22

Worth 2 linked files

Please ascertain from the Revenue Secretary this question and deal with it being sure that there is no conflict between the two cases. Submit for orders.

Sd/- Rev 12/5

The Rev. Secretary does not deal with these papers. The Musalman Secretary says that his papers on their branch referring to the present question was sent to the Revenue Secretary with a request that the matter may be dealt with either here or there irrespective of the two places.

Sd/- 12/5 Sd/- 12/5

Comm Secy

NOTE—Contn. sheet.

2) Sent to Dewan Sd/- 19/5

(11)

43411/9

R. S. III-2]

General and Revenue Secretariat. | Police File No. 3 of 1920

Serial No.	
30	Draft rld. Ascertain Known whether any copy of this Proc has been communicated to the Mus Deputies as well.
31	For approval Gen Secy 25/5 Cash 25/5—
32	Issue Sd 26/5 Cash 26/5—
43	To The I. G. Police. O.C. Rd. J-5377-18. of 27.5.22

States that the recommendations made are not suitable & that unless there is perfect agreement amongst the Mussalmans, and proper safe guard against offending the Hindus, no new service selection between the two communities or between the factions of the Mahdi community can be allowed to be brought into existence.

NOTE—Contn. sheet.

Diary no.
Judl 4908

(1

G. R. S. III-2]

General and Revenue Secretariat.

4364
Reg
File No. 3 of 1922

Serial No.	

To 33) The Superintendent, Police Section for kindly putting up the Police file 3-20-73 for the perusal of the First member, as ordered by the Revenue Secy: on the G.O.

Vide remarks ~~of~~

BG
30/5/22

Mem
Judicial Secretariat

34) The file referred to is herewith put up with its linked up file. Submd

Rec
30/5/22
MB
30/5

10 Mr Mary Cell) 35) Subd to the Marrai dee? & perusal
BG
30/5/22

7048-94.
4.6.22.

1st member

BG
1/6

36) Seen
Rec
6.6.22

37) Returned to Police Section
BG
7/6

Judicial Secretariat
12 JUN 1922
JUDICIAL DEPARTMENT

NOTE—Contn. sheet.

10/6.

To

The Dewan of Mysore,

Bangalore.

Respected Sir,

We, the Hindu residents of Masti Village, Malur Taluk, Kolar District, beg to bring to your notice the following few words for favourable consideration and justice. There are about 1500 Hindus and about 200 Mussalmans residing in this village. Mussalmans already have a Maszid and they are now building another one in that part of the village where all the residents are Hindus except 2 or 3 Mussalman houses. This maszid is intended to be a source of disturbance to the Hindu residents. This is being constructed in Maharasta galli where the processions of Hindu Gods have to pass frequently. This construction of a new mosque will surely disturb the peace of the villagers and will serve only to improve the hatred between Mussalmand and Hindus of the village. Mussalmans have already owned a maszid in the village. If they want more ones, they may be ordered to build them in that locality where chiefly mussalmans reside. The present mosque under construction without Government license may be ordered to be destroyed.

We petitioned to the Amaldar on 5 or 6 occassions and to the Deputy Commissioner on 16th October 1920 and to the Revenue Commissioner on 18th October 1920. The latter has informed that our petition has been forwarded to D C Kolar for disposal. The Amaldar and D. C. being mussalmans, it is obvious that they should decide the case in favour of their own community. We now pray that the new maszid may now be ordered to be destroyed and justice done to the Hindus.

We beg to remain,

Most Respected Sir,

Your most obedient servants,

Bangalore

14th May 1921

Address

C. Ramanuja Iyengar
Masti Village
Malur Taluk.

-0058-

15

To

The Chief Secretary to
Mysore State
Bangalore

6430/14-V-21

Respected Sir

We, The Hindu residents of masti Village in alur Taluq, Kolar district, beg to bring to your notice the following few words for favourable consideration and justice.

There are about 1500 Hindus and about 200 mussalmans residing in This Village. mussalmans already have a masjid and They are now building another one in That part of The Village where all the residents are Hindus except 2 or 3 mussalman houses.

This masjid is intended to be a source of disturbance to the Hindu residents. This is being constructed in maharastra galli where The processions of Hindu Gods have to pass frequently.

This Construction of a new mosque will surely disturb the peace of The Villagers and will serve only to improve the hatred between mussalmans and Hindus of the Village.

Mussalmans have already own a masjid in The Village. If They want more ones, They may be ordered to build Them in That Locality where chiefly mussalmans reside.

The present mosque under construction without Government license may be ordered

! to be destroyed.

We petitioned to the Amildar on 5 or 6 occations and to the Deputy commissioner on 16th October 1920 and to the Revenue commissioner on 18th October 1920. The latter has informed that our petition has been forwarded to D. C. Kolar for disposal.

The Amildar and D. C. being mussalmans it is obvious that the should decide the case in favour of their own community.

We now pray that the new Masjid may now be ordered to be destroyed and justice done to the hindus.

We beg to remain Respected Sir

Your most obedient servants

Bangalore
16 may 1921.

Address
C. Ramanujaiengar
Masti Village
Malur Taluq.

G. R. S. VI.—6/7]

DRAFT.

17

SUBJECT.....

.....

.....

Section. Police
File No.
Serial No. 3-20 44

No. 2150(1)

Diary No. of letter replied to... 23705

OFFICIAL MEMORANDUM.

GENERAL AND REVENUE SECRETARIAT,
( )
, the.....191

The accompanying Petition Registered No. 23705 dated 14/5/21
~~101~~, received at the General and Revenue Secretariat from M. C. Ramamurthi and others of Mastikallage Matara Pattu forwarding a petition addressed to the Government Agent in the Hill Country praying that the village may be destroyed is forwarded, ~~together with its enclosures,~~ to the D. C. Kelani for an early report in the matter.

Date of issue 21/5

Signed by...

By Order,

Secretary to Government.

K. 18/5

ಅರ್ಜಿದಾರ್.....ತಾಲ್ಲೂಕು

.....ಹೋಬಳಿ

.....ಗ್ರಾಮದಲ್ಲಿರುವ

.....ಗೆ.

ಇಂಡಾರ್ಸ್ ಹುಕುಂ.

ನಂಬರು.....

.....

.....

.....

.....

.....

.....

ವಿಷಯದಲ್ಲಿ ನೀವು ಗುಜರಾಯಿಸಿಕ್ಕೊಂಡ.....

ಮರ್ಜುಮಿನ ಅರ್ಜಿಯನ್ನು.....ಬಗ್ಗೆ

.....ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ

By Order,

Secretary to Government.

List of enclosures

Copied by.....

Examined by.....

WD 1255—GPB—5,000—21-1-19

H.C.No.483
Encls. 2

5027

(18

26885

Office of the Deputy Commissioner,

Kolar District.

DIARY No. 2603

Dated, Camp Chintamani, 24th June 1921

GEN & REV. Secom
Rev. Sect.
27 JUN 1921

2021
Paper
Files
Serial No. 3-20-52

Md. Zahiruddin Mecci, Esq., B.A.,

Deputy Commissioner, Kolar District.

To

CC 27164

T.E. Jayaram Iyer, Esq., B.A., B.L.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

Muzrai Department, Bangalore.

S i r,

Adverting to your official memorandum No.4164/Muz. 102-20-34 dated 20th May 1921, calling for an early report on the petition of Ramanuja Iyengar and others of the Masti village in the Malur Taluk, complainin that the Mahommedans of the place are building a new mosque in the Maharastragalli of the village and praying that they may be instructed to stop the work and construct a mosque in their own locality, I have the honour to state that it is reported by the Amildar of Malur that the allegation is a fact, that the Taluk Sanitary Inspector was direct not only to stop the further progress of the construction of the Masj but also to lodge a complaint against Akbar Khan and others in the 1st Class Magistrate's court, Kolar Gold Fields, under the Village Sanitary Rules for the construction of the Masjid without a license, and that the case has not been disposed of as yet. The Amildar repo that in spite of orders communicated to them, the Mahommedans have be proceeding with the work and the Sub-Division Officer has stated that during the Jamabandi, he also saw the work was being pushed through vigorously in spite of orders passed by him and the Amildar, and con-cluded that prosecution under section 188 I.P.C. may kindly be ordere to be instituted!!! Both on the petition of the residents of Masti received through the Revenue Commissioner with his Memo No. Pet.427, 20-21 dated 23rd October 1920 and on the one received by me direct o 19th October, orders were issued to the effect that immediate effect

ste

19

steps to stop any such building should be adopted, still no such action appears to have been taken by either of these officers.

I have accordingly wired to them both as on the margin and called for report as to why no action was taken by them under section 144 of the Criminal Procedure Code, and why no prompt prosecution was instituted against the parties concerned, and pointed out to the Sub-Division Officer that his Memo soliciting orders to institute prosecution against them is rather out of place. (Copy enclosed for information).

Regarding Masti Mosque, proceed forthwith, issue immediate injunction under section 144 Criminal Procedure Code, stop work immediately. Put Police guard. Report action taken.

I am myself proceeding to Masti to-morrow, so as to get first hand information about the affairs there.

I am also issuing instructions to the Special Magistrate, Kolar Gold Fields, requesting to expedite the disposal of the case pending before him. Action will also be taken for the selection of a suitable site free from objection for the construction of the Mosque in consultation with the local officers and the residents of the village.

The petition received with the above is herewith submitted.

I have the honour to be,

S i r,
Your most obedient servant,

Police 3-20-52

Sd/ T.A. Lakshmana Reddi.

Deputy Commissioner,
Kolar District.

H.C. No. 463 Lm 3

Copy of the above is submitted with compliments to the Secretary to the Government of Mysore, Revenue Department, with reference to his No.G.&A150(1) Pol.3-20-44 dated 21st May 1952. The petition received with the above is also herein enclosed.

Deputy Commissioner,
Kolar District.

Memo No.C.591 ~~from~~ dated 24th June 1921 from the Deputy Commissioner, Kolar District, to the Sub-Division Officer, Kolar.

Reference:

His No.K.H.C.626/20-21 dated 16th march 1921 reporting that he personally saw during the Jamabandi that the work of construction of a mosque at Mast was vigoursly being pushed through in defiance of the orders passed by the Sub-Division Officer and the Amildar, and requesting that prosecution under section 188 I.P.C. may be ordered to be instituted.

With reference to the above, has the honour to state that the undersigned is surprised at the cool manner in which the unauthorise action of the Mahommedans at Mastiis being treated by the Sub-Division Officer. Both the Sub-Division Officer and the amildar had ample powers under Section 144 Cr.P.C. to issue a prohibitory order which the undersigned regrets to find have not been availed of to put a stop to this defiant action of the Mahommedans. Even as regards the prosecution under section 188 I.P.C., instead of prompt action having been taken, the report is to the effect that th prosecution may be kindly ordered to be istituted! Why no prosecuti was promply launched, and why further further necessary vigorous measures were not adopted may also be explained, and of what use wil a prosecution be after the building is completed. The undersigned has issued very strict and explicit orders directing the stoppage of the work and yet the local officers have treated them with indifference. The Sub-Division Officer is requested to go to the spot immediately and issue a prohibitory order under section 144 Cr.P.C. and a police guard may also be put round the building, so as to prevent a further vilatibn of the order, as per wire already issued to him to-day.

"Co py."

Deputy Commissioner,

SM.

R.H.C. 483 - Sec. 1. & 16-2-21
20-21

(21

Office of the Deputy Commissioner,
Kolar District,
Dated, Kolar, the/8th August 1921.

From

Md. Zahiruddin Mecci, Esq. B.A.,
Deputy Commissioner, Kolar District.

1920-21
SECTION Revenue
FILE No. 3-20
SERIAL No. 59

To

B. Ramaswamaiya, Esq., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Revenue Department,
Bangalore.

3-20

Sir,

3278
10-20-37

In continuation of my memo No. 483 of 1920-21, dated 24th June 1921, reporting on the petition of Ramanuja Iyengar and others, of the Masti village, in the Malur Taluk, re. the construction of a new mosque at the place, I have the honour to state that a detailed report with the connected vernacular records, has been submitted to the Secretary to the Government of Mysore, in the Muzrai Department, with this office letter No. H.C. 483, of 1920-21, dated 27th July 1921, copy of which is herewith submitted for reference.

I have the honour to be,
Sir,
Your most obedient servant,

R Mallappa 16/8.
Treasury Assistant Commissioner,
For Deputy Commissioner,
Kolar District.

Rls

06447

From

The Deputy.Commissioner,

Kolar District.

To

The Secretary to the Government
of Mysore,
Revenue Department, Bangalore.

Dated/3th August 1921.

Despatched 16.8.21

Received

General No. R.H.C. 483 / 20

No.

GEN. REV. SECTT
17 AUG 1921

Enclosure No.

Submitting copy of report No H.C. 483 of 1920-21 dated 27th July 1921 Re. the construction of a new mosque at Masti in the Malur Taluk.

P.W. 19/8

Revenue

HOME PROTEC 19 AUG 1921

(22

Letter No:H.C.483/20-21 dated 27-7-21 from the Deputy Commissioner Kolar District, to the Muzrai Secretary to the Government of Mysore, B a n g a l o r e.

In continuation of my letter No:H.C.483/20-21 dated 24th ultimo in the matter of the complaint petitions about the unauthorised construction of a new mosque by some Mahomedans in the Maharastragalli of the Masti village in the Malur Taluk, I have the honor to state that the Amildar of Malur who received my order immediately went to Masti on the 25th ultimo, but finding that the Mahomedans had collected in large numbers to welcome the Nawab of Banganapalli who was expected there that day on the invitation of Mr. Khazi Karimulla Sheriff, in connection with the construction of the other mosque by the Khazi's party, he did not consider it advisable to take action under Sec.144 C.P.C., in accordance with my orders of the 24th idem (Vide enclosures to my letter referred to above). It is reported that the Sub Division Officer and the Amildar both went to Masti on the 26th idem and they met the Nawab of Banganapalli who was still there and requested him to advise the two factions of the Mahomedans of the village to come to an amicable settlement. It is stated that the Nawab took considerable pains to reconcile them to each other but that all his trouble was of no avail. After his departure the same day, the Sub Division Officer and the Amildar also attempted in vain at a reconciliation and therefore as per my instructions they issued a prohibitory order under Sec.144 Cr.P.C. directing Syed Hassein's party should not proceed with the construction of the mosque inthe Maharastra galli. (Vide the reports of the Sub Division Officer and the Amildar enclosed dated 13th instant and 1st instant respectively.

2. I also visited the village on the 27th ultimo, inspected the building that was under construction and discussed the matter with the two factions of the Mahomadans and the Hindu residents of the village. I found that the whole agitation was the outcome of the strained relations between the 2 parties of the Mahomadans one headed by Mr.Khazi Karimulla Sheriff and the other by Mr. Moulvi Md. Ayyub and Syed Hasqein. It would seem that the Moulvi and his party found that the other party were somewhat lax in the observance of the times for the several prayers, and regarding certain conduct which the Moulvi was of

opinion was against religious tenets, and hence owing to misunderstandings seceded from the larger party, and began to hold worship in a tiled house (not more than 12 feet distant from the building now in question), converted it into a mosque and have ever since been offering prayers therein for some years past. As this was a private house, and had also become leaky, they wanted to construct a new building by its side and obtained a license from Mr. Kasar Singh Amildar on 10-3-13, but though they secured the license, they had not been able to begin the work till about a year ago, when some contractor of the Kolar Gold Fields came out with a munificient donation and began to finance the construction of the building. This naturally roused the jealousy and the ill feeling of the oppesite party headed by Mr. Khazi Karimulla Sheriff who, though forming the bigger party, had not, for reasons, been able to secure the license to construct their mosque or find funds for the same, The whole of the recent agitation and the somewhat alarming complaint petitions from the Hindu residents of the village have been chiefly due to the machinations of Mr. Khazi Karimalla Sheriff and to the want of prompt and effective action by the Sub Division Officer and the Amildar as already reported by me in my letter No:H.C.483/ of the 24th ultimo.

3. The exact situation of the Masti village can be better understood by a reference to the previous history of the case which is briefly as follows: There has been an old mosque in the village Fort, which had been in a greatly dilapidated condition, besides being inconveniently situated and the construction of a new mosque in a more convenient and central place appears therefore to have been engaging the attention of the Mahomedans residents of the village for a very long time. But owing to the split among them, they could not realise their object. From the old records obtained from the Taluk Office, it is gathered that on 31-1-03, onethe parties applied to the Amildar for the grant of their old asherkhana site for the construction of a new mosque. As there was an objection to this from the Hindu ~~residen~~ inhabitants of the village, and the matter was under consideration, Mr. Khazi Ibrahim Sheriff of the other party petitioned the Amildar on 14-11-04 praying for the grant of a license to build a new mosque on one Pachamiya Sahib"s house site, which had been purchased for the purpose. In the enquiry held by the Shekdar, the villagers had no takarar to this latter site.

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Vide their Mahazar dated 10-12-04). As there were two aplications for the construction of the two new mosques in the village, , the Amildar(Mr. Machia) after needful inspection and enquiries reported in Ittille No:935 dated 19-3-06, that there were two parties among the Mahomedans, the one headed by Hayath Beg consisting of 24 houses, the other under Khazi Ibrahim Sheriff consisting of 60 houses, and that the site applied for by the former was objectionable, while that selected by the latter was not. While the matter was still under correspondence Mr. P. Subba Rao succeeded Mr. Machia, and reported in his No:1206 dated 30-3-07 that the site selected by Hayath Beg had since been disposed of in another record and though there was no objection to the other site yet as the grant of permission to one party to build a mosque and the refusal to the other would intesify the existing party feelings, he would recommend the repair of the old mosque in the fort.

4. Mr. Mir Hamza Hussain, Sub Division Officer, who visited the village on 21-1-09, and made enquiries, considered the restoration of the mosque in the Fort as out of the question owing to its being inconvenient situation far from the town and to its being surrounded by prickly pear and hence recommended the grant of the license to Khazi Ibrahim Sab as the Hindu residents had no objection to it.

The Deputy Commissioner(Mr. C.Srikanteswara Iyer)approved of this suggestion and passed orders accordingly (Vide No:409 dated 17-3-09) which were accordingly issued and communicated to the party cpncerned through the Shekdar in April 1909. But for some reasons or other, no further action was taken by the Khazi's party to build the mosque till the 19th May 1920 when Mr. Khazi Karimulla Sheriff applied to the Amildar)Mr. Mhhiddin Sheriff) for the grant of a license for the construction of the mosque, Being unaware of the previous correspondence and orders the Amildar ordered an enquiry by the Shekdar and recommended to the Sub Division Officer for the grant of a license (Vide his report No:20 date 22-7-20 and No:94 dated 2-9-20). It was about this time that the other party under Mr. Moulvi Md. Ayyub and Syed Hassain began in right earnest to construct the mosque in Hospet known as The Maharastra galli of the Masti village.(Vide para 2 supra). As license had not yet been granted to Khazi Karimulla Sheriff,he at once began to send petitions to the Shekdar, the Amildar the Sub Division Officer and to the Deputy Commissioner alleging that Moulvi Md. Ayyub and Syed Hassain's Party

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though consisting of anly a few houses, were constructing a mosque without a license and no Government officer had raised any objection to it, though the site was objectionable, being situated on the High road, while no license had been granted to him though he belonged to the bigger party, and the site was free from objection, and he also alleged that if this building by Mr. Moulvi Md. Ayyub's party were allowed, the Hindus and the Mahamadans would surely break each others heads &c., &c. In fact the more briskly this party proceeded with their work, the more persistent was he in sending up alarming petitions. What is most queer is that for a long time the Hindu residents never troubled themselves about what was being done, and the petitions were all by the Khazi. In fact each party among the mahomedans made it a point of honour to see that the mosque belonging to the respective party took precedence of that of the opposite party in the matter of its completion. It was in pursuance of this scramble, and as it were, Mr. Md. Ayyub's party approached H.E.H. the Nizam's Government while the Khazi's party not to be outbeaten approached the Nawab of Banganapalli who visited Masti on the 25th and ~~gave~~ is said to have given a donation of Rs 500. &c.

5. As the allegation was that Mr. Md. Ayyub's party had no license and the Shekdar on receipt of the report from the Patel and Shanbhogue served Syed Hassain Sahib with a notice on 25-8-20 to stop the work, the latter showed him the license granted to one Haji Syed Akbar on 10-3-18 by Amildar Mr. Kaser Singh, and made a shara on the notice to the effect that the Amildar as per request of the Mahomedans did not fix any time limit in the license. Almost about the same time as the Shekdar's report on this point, and not being aware that it had been submitted the Amildar issued orders to him to stop the work until further orders (No:150 dated 9-9-20) and another order No:151 was issued to the Sanitary Inspector on the same date to prosecute the persons concerned under the Village Sanitation Rules.

6. The Sanitary Inspector reported that as Syed Hassain Sahib ~~rep~~ held a linense, he felt doubtful if any prosecution would stand and solicited instructions (Vide his report No:13 dated 15-9-20) But as Khaji Karimulla Sheriff again petitioned the Amildar, stating among other things, that no body in the village knew about the license obtained by Hassain Sahib, the Amildar ordered on 18-9-20 the withdrawa of the license.

7. The Sub Division Officer visited the village on 6-10-20,

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made enquiries and found that the construction of the mosque by Syed Hassein's party in the Hospet was strongly objected to by the other villagers. He also doubted the genuineness of the license stated to have been granted by Mr. Kaser singh and thought that it was an ordinary house building license granted to some one, that the words "construction of a mazid" (ಮಸೀದಿ ಕಟ್ಟಿಸುವ) was an "interlineation" made subsequently to support the construction of the mosque. He therefore warned Syed Hassein's party not to proceed with the work, took a statement to that effect from him and some others of his party and directed the Amildar to see that the order was given effect to and also ordered that Khaji Karimulla Sheriff might be permitted to construct his mosque. In pursuance of the unhealthy spirit for what may be described as racing in the matter of the construction of the mosques by the two rival factions, and not to be beaten by the Khazi's party, Syed Hassein's party seem to have again restarted the work and on 2-11-19 the Amildar having received report from the Patel to that effect issued another order to the Sanitary Inspector on 2-11-20 directing him to prosecute the offenders in the I Class Magistrate's Court under the village Sanitation Rules.

8. The more anxious the other party was to complete the building before Khazi Karimulla Sheriff could complete his, the more persistently did the latter continue to agitate by sending petitions after petitions to the several authorities. It was on receipt of the petition addressed to the Revenue Commissioner and which was received here on the 24th October 920, that I forwarded a copy of it to the Amildar with strict instructions "to take immediate effective steps to stop any such building and submit a detailed report after local enquiry". The Amildar reported on 1-11-20, throug the Sub Division Officer, stating that Syed Hassein's party were disregarding the orders issued to them by him and the Sub Division Officer, and were proceding with the work, and that the Sanitary Inspector had been asked to prosecute them. The Sub Division Officer in submitting the Amildar's report stated that" he also saw personall during Jamabandi that the work was Vigonously being pushed through in defiance of the orders passed by him and ~~that~~ the Amildar" and requested as I have already reported that prosecution under Sec.188 I.P.C. might be ordered to be instituted".

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9. The Sub Division Officer had seen the building on 6-10-20 and ordered that the further construction should be stayed and had taken a mutchalika from Syed Hassein's party to that effect and had directed the Amildar to see that his order was given effect to. And yet when the Amildar reported that the construction of the building was being pushed on, it is remarkable that the Sub Division Officer should have rest contented with merely adding that he had been an eye witness of what the Syed Hassein's party had been doing inspite of his orders etc., as above!. It passes comprehension why he took no effective immediate steps ~~when~~ under Sec.144 I.P.C. when he saw during Jamabandi i,e., February 1921. the work being pushed through against his own orders passed in October previous. The Sub Division Officer now expaains, that he did not take further effective measures, because "the smaller party were acting on the so called authority of a license granted in 13 by Amildar Mr. Kaser Singh and secondly ~~the~~ a prosecution which was instituted against them and which in itself ought to have been sufficient to set matters right, was still pending decision in the Special Magistrate's Court at Kolar Gold Fields." He adds that had the Police or others aggrieved moved in this matter, sought my interference for immediate prevention, I could have done so". I need not say that the explanation of the Sub Division Officer is altogether unconvincing and unsatisfactory, and discloses that he did not realise his responsibility (as one entrusted with the maintenance of law and order) in such an important matter as this. Though the only work that had been done since the orders of the Sub Division Officer was the plastering of the roof and the walls and the putting up of the parapet wall on the roof, still, it is as likely as not, that they would have put up the minarattes as well!!!

10. At any rate, the order prohibting the further constructio of the building has been promulgated and a police watch has been kept to see that the remaining work still necessary to complete the building is not carried on and that no one approaches the building for the purpose.

11. It might possibly be supposed from the fact that the mos is reported to be under construction in the Maharastragalli, that it is situated in the centre of the Hindu Quarters, which is not

the case. The site on which the building is being constructed is in the midst of the Mahomedan houses only. But it is bounded on two sides by two roads (Vide sketch enclosed)one of which leads to the Maharastra houses and the Hindu processions pass along these roads. In the Course of the enquiry and the discussion I had with the Hindus and the two factions of the Mahamadans the Hindus having raised their objection, on this account, the smaller party headed by Mr.Moulvi Md. Ayyub contended that though they had converted the adjacent tiled house (only 12 feet distant from the new building)into a mosque, and have beenusing it as such for the past so many years, they had never at any time objected to Hindu processions with music passing on all sides ofthe same, and hence the objection so raised was not bona fide. They also undertook at my suggestion to raise for the new mosque high compound walls on the sides of the roads and to have the entrance to the mosque only from the Southern side where there are only Mahomedan houses and where no takarar on account of any procession with music could arise. But the Hindus still pleaded that the Mahomedans might throw stones on their processions from behind the walls. I need harly say that this objection appeared to me quite fanciful, if not silly, and also as the result of the instigation of the other party (the Khazi's).

12. To avoid all possible causes of trouble, however, I tried my best to reconcile the two parties and argued on the several points of their differences and ultimately proposed that both the parties may go to the same mosque(that of the bigger party)which is also under course of construction and that the building now under construction by the smaller party may be given away for a Hindustani School. Mr. Md. Ayyub and his party promised to consider over the matter, consult their friends and let me know . Agreeably to my suggestion the bigger party also expressed their willingness to accept the leadership of Mr. Moulvi Mad. Ayyub (of the smaller party) and abide by his decisions in all matters relating to prayers and doctrinal matters, if he should rejoin them with his party, and attend the mosque that they have been constructing.

13. I am glad to say that my proposal seems to be near fruition as I have just received from Mr. Moulvi Md. Ayyub and his party a document, containing their conditions which they have proposed as the basis of the compromise.They are mostly on the line I had suggested to the 2 parties, and the former want that the latter should ratify them and have the same executed on a proper

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stamped paper. I have forwarded the same to the Sub Division Officer Kolar, for needful.

14. The situation is thus quite hopeful and an amicable settlement is in view and there seems to be no reason to be as despondent as the Amildar and the Sub Division Officer were disposed to be, after the departure of the Nawab of Banganapalli after trying in vain for a day to effect a reconciliation, in spite of the fact that both the parties had joined in honouring him, and had made very elaborate arrangements for his receiption. I shall make a further report on this matter in due course.

15. Before closing this letter, I wish to refer to the apprehensions of the Sub Division Officer about the genuineness of the license produced by Syed Hassein's party. (Vide para 7 supra). With a view to put the matter beyond any sort of doubt I had directed that the old register and records may be traced for the purpose. From the Amildar's last report dated 1-7-21, it appears that though the records relating to the grant of the license have not been found, yet the petition register and the counterfoil license itself, are forthcoming and their copies are enclosed in the records, herewith, submitted. These show clearly that the original petition was for the construction of the Mosque and that a license was actually issued on 10-3-13 for the construction of the same! In the absence of the records connected with the subject it is not possible to say how far the Amildar Mr. Kaser Singh was right in having granted the license and in having omitted to specify the time limit.

The connected records are herewith submitted.

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" C o p y "

R Nanjappa 16/8

For Deputy Commissioner,
Kolar District.

Pol 3-20-20 (30

No.R.C.483/20-21 Office of the Deputy Commissioner,
Kolar District,
Dated, camp Jangamkote, 24th April 1922.

From

Md. Zahiruddin Mecci, Esq, B.A.,
Deputy Commissioner,
Kolar District.

To

A.V. Ramanathan, Esq, B.A.,
Incharge Secretary to Government of Mysore,
Revenue Department, Bangalore.
Bangalore.

Sir,

In continuation of my letter No.483 dated the 27th July 1921 and with reference to your Official Memorandum No.4388/Muz.. 102-21-28 dated the 11th February 1922 regarding the construction of a Mosque at Masti, I have the honour to state that I summoned both the parties of the Muhammdans (the Khazi's Party as well as that of Moulvi Muhammad Ayub) to Malur on the 16th January 1922 and tried my best to reconcile them but all my efforts proved unfruotuous owing not only to certain doctrinal differences, but also, to the Khazi's party having given fresh cause for offence to the other party. Although the Khazi's party had at first agreed to abide by the directions and decisions of the Moulvi, they retracted their consent and their attitude was quite irreconcilable.

As I have pointed out in my letter No.483 dated the 27th July 1921, the Moulvi's party have for many years past been peacefully offering their prayers in the old tiled house close to the newly attempted Mosque in the Mahrashtra Gally. It would appear that they never hitherto raised any objection to Hindu music or processions and this fact was admitted by the Hindu residents themselves as already reported by me. The latter, however at the instigation of the Khazi's party at the outset began to object when the new Mosque was commenced by the side of

of the old house. Their contention was that the Mohammadens might object to Hindu Music passing along the street. Although the Moulvi's party agreed not to object the Hindu Music and consented to put up a high compound wall all round and not to have any gate-way opening on the Maharashtra Gally or road, still the Hindus would not agree to the construction of the Mosque as they said that the Mohammadans might throw stones from inside the Mosque!

Granting that this objection of the Hindu was genuine and not caused by the instigation of the Khazi's party as there is good reason to suspect it was as explained in my previous letter still if the Government do not consider it desirable to sanction the construction of the Mosque on those terms, the matter may be left there. But as the old house in which the Moulvi's party were offering prayers is leaky and unfit for use they desire to offer their prayers in the new building now commenced in the same way as they have been doing in the past in the old. As they have not hitherto been interfering with the Hindu residents or their Music it is not to be expected - that they will do so hereafter. All that the Moulvi's party want is, a decent house to offer prayers in, since they could not be reconciled to the Khazi's party and go to the latter's Mosque. For this purpose, I think that the unfinished building in the Maharashtra Gally that was stopped under section 144 of the Criminal Procedure Code while in course of construction may be permitted to be completed, as it is, no Minarettes being allowed to be added.

The Moulvi's party wish to use the building as a School, as well as a prayer house, and are willing to give an undertaking in - writing not to interfere with Hindu Music or procession along the road and to allow them to go on as hitherto. As a further safeguard and to put the matter beyond doubt, it is also suggested, that the building may be surrounded by a wall with no gate on the road-side, and may also be assessed with Mohatarfa, if necessary, to show further that it is not entitled to the privileges of a Mosque which would be exempt from such taxation. All that the Moulvi's

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Moulvi's party want is permission to use the building under construction on the same lines and on the same conditions on which they have been using the adjacent old tiled building above referred to, which is just 12 feet distant from it and for the use of which as a Mosque no objection has hitherto been raised.

I consider that permission may be accorded for the completion of the building by the addition of the doors and windows (as the building is said to be very insecure without these) but without the addition of the Minarettes, and that while there is no objection to permit the building to be used as a prayer house along with its use as a school, it is not desirable to recognise the building as a Mosque as the expression, as understood in common parlance, might lead to complications.

I have the honour to be,

Sir,

Your most obedient servant,

sd. Md. Zahiruddin Mecci.

Deputy Commissioner,
Kolar District.

51417

GEN & REV. DEPT.
26 APR 1922

DK.

No R.M.C.483/20-21 Dated, camp Jangamkote, 24th April 22.

memo.

Copy of the above is submitted with compliments, to the Secretary to the Government of His Highness the Maharaja of Mysore, General Department, Bangalore, in continuation of this office letter No.483 of 1920-21 dated the 3rd August 1921.

Deputy Commissioner,
Kolar District.

DK.

26 APR 1922

JUDICIAL BRANCH.

G.R.S. VI-71]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section

File No. 3—W

Serial No. 73

General and Revenue Secretariat

( )

Proceedings of the Government of

His Highness the Maharaja of Mysore.

, *the* 191 .

Date of issue..... 27/5/22

Signed by..... M. Cary

Read.— Petition dated 14.5.21 from

M/s. Ramanuja Iyengar & other resi-

dents of the Masti village, Malur Taluk

Complaining against the Construction,

by certain Section of the Muhammadan

Community, of a masjid in a

~~particular~~ locality ~~of the village~~,

inhabited mainly by the Hindus.

Order Thereon:— No. 2) Correspondence

ending with letter No HC. 483/20

of 24.4.22 from the Deputy

Commissioner Kolar District recom-

-ending the grant of permissi

over.

May this be

i Printed?

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the press?

vi published in the Gazette Kannada part?

~~under certain conditions & safeguards~~,

for the Completion of the Structures ~~on Condition~~

the Construction of which had been

stopped under Sec 144 of the

Cr: Pro: Code.

on Condition that no minarets are added and that the building is used as a "prayer house" and not a Mosque

order No:- J 551/28

On a full Consideration

of the facts of the case, Govt.

are of opinion that the re-

commendations made by the Deputy

Commissioner are not suitable.

They are further pleased to direct

that, unless there is perfect

agreement amongst the Musal-

-mans, and proper safeguards

against offending the Hindus,

no new ~~case~~ of Contention

between the two Communities or

between the factions of the

Mahamedan Community can

be allowed to be brought into

existence.

26/5

Govt Secy.

To, The Deputy Commissioner Kolar

List of enclosures.

Copied by

Examined by